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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,224	10/30/2001	Nelson Liang An Chang	10014325-1	1122

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EXAMINER

TAN, ALVIN H

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 04/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/021,224

Applicant(s)

AN CHANG ET AL.

Examiner

Alvin H. Tan

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,8-14 and 16-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-20 is/are allowed.
- 6) ☒ Claim(s) 1,2,4,8-10,12,13 and 16 is/are rejected.
- 7) ☒ Claim(s) 11 and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Remarks

1. Claims 1-2, 4, 8-14, and 16-20 have been examined. Claims 1-2, 4, 8-10, 12-13, and 16 have been rejected. This Office action is responsive to the amendment filed on 2/14/06, which has been entered in the above identified application.

Claim Rejections - 35 USC § 112

2. The corrections to claim 16 have been approved, and the rejection to the claim has been withdrawn.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-2, 4, 8-10, 12-13, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Orbanes et al (US Patent No. 6,785,667).

Claims 1-2, 4, 8-10 (Method)

Claim 12 (Apparatus)

4-1. Regarding claims 1 and 12, Orbanes teaches the claim of a method for browsing a plurality of data objects displayed within a three-dimensional graphical environment, by disclosing a three-dimensional virtual space in which discrete data objects are located *[column 2, lines 28-46]*.

Orbanes teaches the method comprising providing a plurality of selectable data object arrangement schemes and grouping corresponding images representing the data objects within the environment dependent on a selected one of the schemes, by disclosing that data objects are associated with a physical paradigm in a database according to hierarchical relationships defined by a template *[column 3, lines 24-27]*. A user can modify the appearance of and/or the hierarchical relationship between data objects *[column 3, lines 53-60]*. Templates may be modified by a user *[column 31, lines 15-38; figure 15]*.

Orbanes teaches the method wherein grouping representative images further comprising partitioning the three-dimensional graphical environment into three-dimensional bounded areas and displaying related groups of representative images within the areas, wherein representative images are related dependent on the selected scheme, by disclosing the viewing perspective of the user *[column 4, lines 20-65]* and how the hierarchical relationship of data objects is displayed *[column 12, lines 61-67; column 13, lines 1-25]*.

Orbanes teaches that the three-dimensional areas are in a single plane, by disclosing that as described in *[column 8, lines 38-51]*, a data object (e.g. 114a) is located in three-dimensional space. As the camera moves closer to the data object (114a), the system expands the appearance of the displayed image of the data object (114a) to show more detail. The location of data object remains the same and only the level of detail changes. A new data object is not created in a new plane.

4-2. Regarding claim 2, Orbanes teaches the claim of the method further comprising selecting the data object arrangement scheme through a user interface, by disclosing that a graphical user interface is used to modify the template *[column 31, lines 15-16]*.

4-3. Regarding claim 4, Orbanes teaches the claim of the method wherein providing arrangement schemes further comprising providing arrangement schemes related to data object metadata, by disclosing that templates may arrange data objects based on information describing elements of a data source, such as author, date, brief description, number of pages, title, size, key words, images and/or logos *[column 14, lines 26-34]*.

4-4. Regarding claims 8 and 9, Orbanes teaches the claim of the method further comprising rearranging representative images within the environment dependent on a newly selected one of the schemes, by disclosing that the system profiles and re-profiles the data sources to update the data objects stored in the database. Re-profiling

Art Unit: 2173

can be done periodically or on command. Prior existing hierarchical relationships between data objects are de-constructed before storing data objects in the database. Further, the user can modify the appearance of and/or the hierarchical relationship between data objects using a graphical user interface [column 3, lines 40-56]. Thus, the user may select a new scheme and re-profile the data source which would update the hierarchical relationship and consequently, the three-dimensional graphical representation.

4-5. Regarding claim 10, Orbanes teaches the claim of the method further comprising arranging representative images within each area according to an auxiliary data object arrangement scheme, by disclosing that data objects may be organized by data source such as author, data brief description, number of pages, title, size, key words, images and/or logos [column 14, lines 26-34].

Claims 13, 16

4-6. Regarding claim 13, Orbanes teaches the claim of the apparatus wherein a layout processor includes an object placement locator for generating placement information for causing related representative images to be displayed within each area dependent on the selected scheme, by disclosing a stylizer module [figure 11, "104"]. See [column 31, lines 39-44].

4-7. Regarding claim 16, Orbanes teaches the claim of the apparatus wherein the graphics processing unit further includes an environment creation processor for generating three-dimensional image data corresponding to the displayed environment dependent on layout information and dependent on a set of appearance design rules and generating three-dimensional image data corresponding to the representative images grouped within the three-dimensional image data dependent on the placement information, by disclosing a protocolizer module [figure 11, "106"]. See [column 31, lines 45-67; column 32, lines 1-39].

Allowable Subject Matter

5. Claims 17-20 are allowed.
6. Claims 11 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: In combination with the claimed subject matter, the prior art does not teach or fairly suggest determining the size of a partitioned area based on the number of objects within a group. The closest prior art, Ermel et al, teaches determining the size of a partitioned area based on its location on the display.

Response to Arguments

7. The Examiner acknowledges the Applicants' amendments to claims 1, 12, 16, and 17. Regarding independent claims 1 and 12, the Applicants allege that Orbanes et al (U.S. Patent No. 6,785,667) as described in the previous Office action, does not explicitly teach three-dimensional areas in a single plane as amended. Orbanes, however, teaches that the three-dimensional areas are in a single plane, by disclosing that as described in *[column 8, lines 38-51]*, a data object (e.g. 114a) is located in three-dimensional space. As the camera moves closer to the data object (114a), the system expands the appearance of the displayed image of the data object (114a) to show more detail. The location of data object remains the same and only the level of detail changes. A new data object is not created in a new plane. *[Figure 2]* shows a single plane, but with different levels of detail depending on the position of the camera.

Orbanes teaches that as the user virtually navigates closer to a particular plate (and not past it), the system displays less of the information contained on the particular plate to the user, but displays that portion within view of the user in greater detail. As the user virtually navigates farther away, the system displays more of the information contained on the plate, but with less detail [column 9, lines 23-27].

Applicant allege that Orbanes et al as described in the previous Office action, does not explicitly teach bounded three-dimensional areas. Orbanes, however, teaches that plates, containing data objects are displayed in three-dimensional space *[column 2, lines 30-33]*, have a height, width, and depth *[column 3, lines 57-60]*. Hence, the plates are bounded in a three-dimensional area. Consequently, and given the broadest, most

reasonable interpretation of their claim language, Orbanes is still considered to anticipate claims 1 and 12.

Applicant states that dependent claims 2, 4, 8-10, 13, and 16 recite all the limitations of the independent claims, and thus, are allowable in view of the remarks set forth regarding independently amended claims 1 and 12. However, as discussed above, Orbanes is considered to teach claims 1 and 12, and consequently, claims 2, 4, 8-10, 13, and 16 are rejected.

Conclusion

8. The prior art made of record on attached form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R § 111(c) to consider these references fully when responding to this action. The documents cited therein teach similar systems for automatically designed three-dimensional graphical environments.

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

Art Unit: 2173

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin H. Tan whose telephone number is 571-272-8595. The examiner can normally be reached on Mon-Thu 9:30-7 and alternating Fridays 9:30-7.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AHT
Assistant Examiner
Art Unit 2173

Alvin H. Tan
Primary Examiner